

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Yang Huang,

Civil No. 07-140 (PJS/JJG)

Plaintiff,

v.

ORDER

Robert S. Mueller, III,

Defendant.

This matter is before the undersigned upon the report and recommendation of the United States Magistrate Judge. No objections have been filed to that report and recommendation in the time period permitted. Based on the report and recommendation of the Magistrate Judge, and being duly advised of all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Mr. Mueller's motion to dismiss, or in the alternative for summary judgment (Doc. No. 4) is **DENIED AS MOOT.**
2. This litigation is **DISMISSED AS MOOT.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated this 24th day of October, 2007.

s/Patrick J. Schiltz

PATRICK J. SCHILTZ

United States District Judge